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SUMMARY RECORD OF THE 67tn MEETING
(SECOND PART*)

Held at the Palais des Nations, Geneva,
on Wednesday, 10 March 1993, at 7 p.m.

Chairman: Mr. FLINTERMAN (Netherlands)

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* The summary record of the first part of the meeting appears as document E/CN.4/1993/SR.67.

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GE.93-14261 (E)

Draft decisions 7 and 12 contained in chapter I.B of the report of the Sub-Commission (E/CN.4/1993/2 - E/CN.4/Sub.2/1992/58) (agenda item 14) (continued)

Draft decision 7

1. Mr. PACE (Secretary of the Commission) said, with reference to the financial implications of draft decision 7 of the Sub-Commission entitled "Human rights and the environment", that the costs of the activities the Special Rapporteur was asked to carry out would amount to an estimated US$ 9,100 for 1993 and 1994.

2. Draft decision 7 was adopted without a vote.

Draft decision 12

3. The CHAIRMAN said that, if he heard no objection, he would take it that, in view of the adoption of draft resolution E/CN.4/1993/L.74, the Commission did not wish to take a decision on draft decision 12 entitled "Final report on the study on problems and causes of discrimination against HIV-infected people or people with AIDS" which the Sub-Commission had recommended to it for adoption.

4. It was so decided.

CONSIDERATION OF DRAFT RESOLUTIONS AND DECISIONS UNDER AGENDA ITEMS 23 AND 3

Draft resolution E/CN.4/1993/L.91 (agenda item 23)

5. Mr. HELGESEN (Observer for Norway), introducing draft resolution E/CN.4/1993/L.91 on behalf of the sponsors, which had been joined by the delegation of Tunisia, said that the open-ended working group to draft a declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms, established by Commission decision 1984/116 of 16 March 1984, normally met each year for 10 working days prior to the Commission's regular session. The drafting of the declaration had been a long and arduous task but there was every reason to believe that the working group's efforts would soon meet with success. In the draft resolution, the Commission noted with satisfaction the progress made by the working group during its meetings prior to and during the forty-ninth session of the Commission. It also urged the working group to complete its task by the fiftieth session of the Commission and decided to make available appropriate meeting time for the working group prior to and during that session.

6. Some delegations had expressed the hope that the text of the draft declaration adopted on first reading would be forwarded to Governments and interested organizations for their comments. Personally, he would have preferred the second reading of the draft declaration to be completed before Governments were asked for their comments but he was fully prepared to meet the wishes of those delegations, some of which had played an active part in the work of the working group. Accordingly, he proposed that at the end of the draft resolution which it was recommended that the Economic and Social

Council should adopt, a third operative paragraph should be added, to read: "Requests the Secretary-General to circulate the report, including the text adopted on first reading to the Governments of all States members of the United Nations and members of competent specialized agencies and to interested intergovernmental and non-governmental organizations, with an invitation to submit written comments on the first reading text (E/CN.4/1993/64, annex 1) for consideration by the working group at its next session". His delegation trusted that the draft resolution would be adopted by consensus.

7. Mr. MALHOTRA (India) said that he welcomed the revision made by the observer for Norway. As far as the draft resolution itself was concerned, he did not think it very realistic to suggest, in operative paragraph 2, that the working group could complete its task and submit the draft declaration to the Commission at its fiftieth session, since it had taken several years for it to adopt the text on first reading. His delegation was, however, prepared to approve the draft resolution.

8. Mr. ALFONSO MARTINEZ (Cuba) thanked the observer for Norway for the understanding he had shown towards those delegations which wanted the text adopted by the working group on first reading to be circulated to Governments and to interested intergovernmental and non-governmental organizations for their comments on the matter. As for the meeting time provided for the working group during the fiftieth session of the Commission (para. 4 of the draft resolution), his delegation trusted that it would be equivalent to the time normally set aside by the Commission for the discussion and adoption of the draft report to be submitted to it by the working group at the end of its session. That, at any rate, was how it interpreted the paragraph.

9. Mr. MASRI (Syrian Arab Republic) thanked the observer for Norway for the revision he had made of the draft resolution. He trusted that the cooperation between the Syrian and the Norwegian delegations would continue.

10. Draft resolution E/CN.4/1993/L.91, as orally revised, was adopted without a vote.

Draft resolution E/CN.4/1993/L.89 (agenda item 3)

11. Mr. GRILLO (Colombia), introducing draft resolution E/CN.4/1993/L.89, first drew attention to two minor errors in the French version. The title of the draft resolution in French was not consistent with the title in Spanish and the word "mandat" in operative paragraph 8, did not correspond to the word "désignación", in the Spanish original.

12. His delegation wished to express its deep gratitude to all those who had made every effort to consolidate the peace in El Salvador and, in particular, to the Salvadorian Government. It was essential that they should continue to have the support of the international community, and of the Commission in particular, so that, at its fiftieth session, it could celebrate the complete re-establishment of peace and full respect for the human rights in the country concerned. The sponsors of the draft resolution very much hoped that it would be adopted by consensus.

13. Mr. PACE (Secretary of the Commission) announced that the delegations of Peru and of the United States had become sponsors of draft resolution E/CN.4/1993/L.89. The delegation of Brazil was also a sponsor of the draft resolution though its name had been omitted from the list. The cost of the activities contemplated in operative paragraph 8 of the draft resolution would amount to an estimated US$ 135,000 for 1993 and US$ 5,600 for 1994, for the Independent Expert's travel expenses and related support services.

14. Draft resolution E/CN.4/1993/L.89 was adopted without a vote.

15. Mr. MENDOZA (Observer for El Salvador) said that the draft resolution on human rights in El Salvador (E/CN.4/1993/L.89), which had just been adopted by the Commission on Human Rights, was a first step towards recognition that the process of re-establishing peace in his country was under way. The Commission on Human Rights had already succeeded in adjusting, at its forty-eighth session, to developments in the situation in El Salvador by deciding, through its resolution 1992/62, to end the Special Representative's mandate and to request the Secretary-General to appoint an independent expert. Since then, it had been able to verify that renewed efforts had been made to ensure respect for human rights in El Salvador. That was why it had adopted draft resolution E/CN.4/1993/L.89 in the context of its consideration of agenda item 3 on the organization of work. That draft resolution underlined the determination expressed by the Salvadorian Government to continue to collaborate with the work of the Commission at its fiftieth session; recognized that there had been a considerable improvement in the human rights situation in El Salvador and invited the parties to redouble their efforts to consolidate the progress achieved. Thus the Independent Expert had been entrusted with the new task of reporting on "human rights developments in El Salvador".

16. In 1992, the Commission had shown prudence by appointing an independent expert, as it had not been sure that the war in El Salvador would actually end. It had since recognized that the war was effectively ended and had therefore adopted draft resolution E/CN.4/1993/L.89 under agenda item 3, while still remaining prudent since it wished to be certain that the peace would hold. In 1994, it would be able to conclude that peace had been consolidated in El Salvador and was irreversible; it would then no longer have any reason to keep the question of human rights in El Salvador on its agenda.

The meeting rose at 10.43 p.m.